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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 98 CR 54
	)	Court of Appeals No.
	)	05-1402
DARWIN MONTANA,	)	
	)	
Defendant.	)	

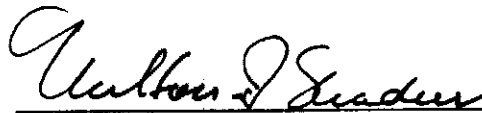
MEMORANDUM ORDER

Each month this Court receives from the Court of Appeals for the Seventh Circuit a list of pending appeals from cases on this Court's calendar. As part of the just-received April 1, 2005 report that lists this case, the report correctly reflects the pendency of Darwin Montana's motion for in forma pauperis treatment on appeal. But because the absence of this Court's final ruling in that respect has been caused by Montana's own noncompliance with this Court's February 15, 2005 memorandum order ("Order," a copy of which is attached), this memorandum order is being issued as a follow-up to the Order.

As the Order reflects, 28 U.S.C. §1915 ("Section 1915") obligates Montana to pay the entire \$255 in appellate fees despite his current inability to pay those fees in full (Section 1915(a)(1)). For that reason the Order directed Montana "to obtain forthwith and to transmit to this District Court a printout covering [the transactions in his prisoner trust fund account during] the further period from December 9, 2004 to

January 21, 2005," so that this Court could make the appropriate calculation of the initial installment payment on account of those fees, as called for by Section 1915.

Montana has simply disregarded the Order for almost two months. Accordingly, unless he complies with the Order's direction by causing such a printout to be delivered to this Court's chambers on or before April 29, 2005, this Court will notify the Court of Appeals of his delinquency so that it may consider whether his appeal should be dismissed for failure to satisfy his Section 1915 obligation with respect to the requisite filing fees.

A handwritten signature in cursive script, reading "Milton I. Shadur", written in dark ink.

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Milton I. Shadur  
Senior United States District Judge

Date: April 13, 2005